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10/038,202	12/21/2001	Jeri L. Callaway	200301965-1	8443

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EXAMINER

PITARO, RYAN F

ART UNIT PAPER NUMBER

2174

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/038,202

Applicant(s)

CALLAWAY ET AL.

Examiner

Ryan F. Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-22 and 24-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-22,24-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-2,4-22,24-32 have been examined.

Response to Amendment

2. This communication is responsive to Amendment B, filed 7/8/2005.
3. Claims 1-2,4-22,24-32 are pending in this application. Claims 1,13, and 25 are independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4-22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pivowar et al. ("Pivowar", US 6,457,062) in view of Outlook ("Outlook" screenshots).

As per claim 1, Pivowar teaches a device for managing a combination of family-related matters and work-related matters, the device comprising: a processor (col.1, lines 35-39)*, a calendaring program running on the processor (col. 1, lines 35-39); and an input/output stage operably coupled to the processor (col.4, lines 50-63) and adapted to communicate with a remote device to update the calendars (col.5, lines 41-47). However, Pivowar does not explicitly disclose the calendaring program adapted to

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provide at least one calendar corresponding to family-related matters, at least one calendar corresponding to work-related matters, and at least one calendar corresponding to a merger of the family-related matters and the work-related matters, the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family – related matters and the work-related matters. However, Outlook teaches the calendaring program adapted to provide at least one calendar corresponding to family-related matters (Figure 2 item 30), at least one calendar corresponding to work-related matters (Figure 2 item 40), and at least one calendar corresponding to a merger of the family-related matters and the work-related matters (Figure 1 item 25), the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family –related matters and the work-related matters (Figure 1 item 10, Figure 2 item 50). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include the various types of calendars available in Outlook with the device of Pivowar in order for an individual to be able to organize their time according to the various lifestyles they pursue.

As per claim 2, Pivowar- Outlook teaches the device comprising at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (col.4, lines 10-11).

As per claim 4, Pivowar-Outlook teaches the device wherein the input/output stage comprises at least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link (col. 4, lines 55-60).

As per claim 5, Pivowar-Outlook teaches the device wherein the remote device comprises a host computer (col. 4, lines 33-36).

As per claim 6, Pivowar teaches the device wherein the host computer comprises a public host computer (Column 4 lines 56-57).

As per claim 7, Pivowar teaches the device wherein the host computer comprises a private host computer (Column 4 lines 56-57).

As per claim 8, Pivowar-Outlook teaches the device wherein the remote device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (col.4, lines 35-36).

As per claim 9, Pivowar-Outlook teaches the device wherein the host computer comprises a barrier to separate the work-related matters from the family-related matters (col.2, lines 49-54).

As per claim 10, Pivowar-Outlook teaches the device wherein the at least one calendar corresponding to family-related matters comprises at least one of a daily family-related calendar, a weekly family-related calendar, and a monthly family-related calendar (Outlook, Fig. 4).

As per claim 11, Pivowar-Outlook teaches the device wherein the at least one calendar corresponding to work-related matters comprises at least one of a daily work-

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related calendar, a weekly work-related calendar, and a monthly work-related calendar (Outlook, Fig. 3).

As per claim 12, Pivowar-Outlook teaches the device wherein the at least one calendar corresponding to the merger of family-related matters and work-related matters comprises at least one of a daily merged calendar, a weekly merged calendar, and a monthly merged calendar (Outlook, Fig. 5).

As per independent claim 13, Pivowar teaches a system for managing a combination of family-related matters and work-related matters, the system comprising:

a first device designated as a hub (col.4, lines 50-51); a plurality of second devices (col.4, lines 50-51); a host computer adapted to communicate with the first device and with the plurality of second devices (col.4, lines 50-51); and a calendaring program running on at least the first device (col.2, lines 15-28), the calendaring program adapted to update the calendars in response to communication between the first device and the host computer (col.5, lines 41-47). However, Pivowar does not explicitly disclose the calendaring program adapted to provide at least one calendar corresponding to family-related matters and at least one calendar corresponding to work-related matters or at least one calendar corresponding to a merger of the family-related matters and the work-related matters. However, Outlook teaches the calendaring program adapted to provide at least one calendar corresponding to family-related matters (Figure 2 item 30), at least one calendar corresponding to work-related matters (Figure 2 item 40), and at least one calendar corresponding to a merger of the family-related matters and the work-related matters (Figure 1 item 25), the at least one

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calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family –related matters and the work-related matters (Figure 1 item 10, Figure 2 item 50). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include the various types of calendars available in Outlook with the device of Pivowar in order for an individual to be able to organize their time according to the various lifestyles they pursue.

As per claim 14 Pivowar-Outlook teaches the system wherein the first device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (col.4, lines 10-14).

As per claim 15, Pivowar-Outlook teaches the system wherein each of the plurality of second devices comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (col.4, lines 10-14).

Claims 16-17 are similar in scope to claims 6-7 respectively, and are therefore rejected under similar rationale.

As per claim 18, Pivowar-Outlook teaches the system wherein the host computer communicates both the family-related matters and the work-related matters to the first device, and wherein the host computer communicates only one of the family-related matters or the work-related matters to each of the plurality of second devices (col.2, lines 49-54).

As per claim 19 Pivowar-Outlook teaches the system comprising at least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link between the host computer and the first device and between the host computer and each of the second devices (col.4, lines 55-60).

Claim 20 is similar in scope to claim 9, and is therefore rejected under similar rationale.

Claim 21 is similar in scope to claim 10, and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 11, and is therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 12, and is therefore rejected under similar rationale.

6. Claims 25-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins et al ("Hawkins" US 6,006,274) in view of Outlook ("Outlook", screenshots).

As per independent claim 25, Hawkins teaches a system for managing a combination of family-related matters and work-related matters, the system comprising: a family/work device (Figure 1 item 130); a plurality of work devices (Column 5 lines 31-35); a private host computer communicatively coupled to the family/work device (Figure 1 item 110) and to the plurality of work devices, the private host computer maintaining work-related matters (Column 4 lines 26-35); a plurality of family devices (Column 5

lines 31-35) a public host computer communicatively coupled to the family/work device (Figure 1 item 150) and to the plurality of family devices, the public host computer maintaining family-related matters (Column 4 lines 26-35); and a calendaring program running on at least the family/work device (Column 5 lines 35-43), the calendaring program adapted to update the calendars in response to communication between the family/work device and the host computers (Column 5 lines 35-43). However, Hawkins does not explicitly disclose the calendaring program adapted to provide at least one calendar corresponding to family-related matters and at least one calendar corresponding to work-related matters. Outlook discloses a calendaring program adapted to provide at least one family-related calendar and at least one work-related calendar (Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the various types of calendars available in Outlook with the device of Hawkins in order for an individual to be able to organize their time according to the various lifestyles they pursue.

As per claim 26, Hawkins-Outlook teaches the system wherein the family/work device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (Column 3 lines 10-21).

As per claim 27, Hawkins-Outlook teaches the system wherein each of the plurality of work devices and each of the plurality of family devices comprise at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (Column 5 lines 53-64).

As per claim 28 Hawkins-Outlook teaches the system comprising at-least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link between the private host computer and the family/work device, between the private host computer and each of the work devices, between the public host computer and the family/work device, and between the public host computer and each of the family devices (Column 5 lines 24-31).

As per claim 29, Hawkins-Outlook teaches the at least one calendar corresponding to family-related matters comprises at least one of a daily family-related calendar, a weekly family-related calendar, and a monthly family-related calendar (Outlook, Fig. 4).

As per claim 30, Hawkins-Outlook teaches the device wherein the at least one calendar corresponding to work-related matters comprises at least one of a daily work-related calendar, a weekly work-related calendar, and a monthly work-related calendar (Outlook, Fig. 3).

As per claim 31, Hawkins-Outlook teaches the calendaring program is adapted to provide at least one calendar corresponding to a merger of the family-related matters and the work-related matters (Outlook, Figure 1).

As per claim 32, Hawkins-Outlook teaches the device wherein the at least one calendar corresponding to the merger of family-related matters and work-related matters comprises at least one of a daily merged calendar, a weekly merged calendar, and a monthly merged calendar (Outlook, Fig. 5).

Response to Arguments

Applicant's arguments filed 7/8/2005 have been fully considered but they are not persuasive.

The Applicant argues:

- a) the Outlook reference is not valid
- b) the Outlook reference does not disclose icons that distinguish between family-related matters and work related matters.
- c) Hawkins does not teach a public host and a private host computer.

The Examiner respectfully disagrees for the following reasons:

As per a) The Examiner apologizes for the illegibility of the reference, and invites the Applicant to refer to the Public Pair system to review the reference. However, an original copy of the reference was sent at the mailing of the Office Action, which was indeed clearly legible. The reference is in fact screen shots of a well known software program, Outlook. As seen in the screen shots the version of Outlook shown has a copyright date of 1999, this provides an accurate time period of when the program was readily available. The Examiner feels that the screenshots were adequately described in the rejection. To more accurately describe the Figures: Figure 1 is a screen shot of a list of Calendars (item 25), including a calendar for personal and business related matters. Figure 2 is a screen shot of the list of calendars being expanded to include a quick expanded list of the events that each calendar pertains. Items 30 and 40 also show the full calendar view of each calendar. Figure 3 shows a monthly view of a calendar, only

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showing business matters, through filter, with an interview of the 17th. Figure 4 shows a monthly view of the same calendar only showing family matters, through a filter, with an event to call home, for perhaps a child's birthday. Figure 5 shows a merged Calendar, which shows all events happening on the 17th, no filter. According to 37 C.F.R. 1.104 an Examiner should provide an affidavit when a rejection in an application is based on facts within the personal knowledge. However, the rejection is based on screen shots of a well known software program and not the personal knowledge of the Examiner.

As per b) The examiner points out while the two icons may be the same they distinguish that there are two different calendars one for family and one for work related matters. For instance in the windows environment, a folder is often used to depict a directory. While there are many directories that use the same folder icon, they are each a separate directory. Therefore each folder distinguishes one directory from the other. The claims do not read that the icons themselves need to be different, just that they distinguish two different calendars.

As per c) in both cases a host is a computer system accessed by a user from a remote location. In the case of two computer systems connected via modem or serial line, the "host" is the system containing the data and the "remote" is the computer at which the user is working. Since a work environment needs to be secure to ensure office privacy, this would insinuate a private network. Wherein a local home personal computer, which is not secure and used for only personal use, would be public.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday -Thursday, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Art unit 2174
Patent Examiner

RFP


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